

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

EVANS ALLEN MEZGER

v.

PRICE CPAs, PLLC

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No. 3-08-0163

ORDER

By contemporaneously entered order, the Court has approved and entered the parties' proposed initial case management order. Other matters addressed at the initial case management conference held on March 31, 2008, are as follows:

1. Counsel for the parties intend to engage in serious settlement discussions in the next 45 days. The defendant has provided documents to the plaintiff and the plaintiff planned to forward a settlement demand to the defendant by April 1, 2008.

Counsel for the parties shall call the office of the Magistrate Judge if a settlement is reached.

2. Counsel advised that briefing is complete on the defendant's motion for summary judgment (Docket Entry No. 3).

3. As provided in the contemporaneously entered order, the deadline for completion of fact discovery is October 31, 2008. All written discovery shall be served at least 30 days in advance thereof so that responses will be in hand by October 31, 2008.

4. Any discovery motion shall be filed by November 5, 2008. Alternatively, if a discovery dispute arises toward the end of discovery and needs to be resolved before a dispositive motion is filed, counsel for the parties shall schedule a telephone conference call with the Magistrate Judge so that any such dispute can be resolved as quickly as possible.

5. As provided in the contemporaneously entered order, any dispositive motion shall be filed by December 1, 2008. Any response shall be filed within 39 days of the filing of the motion or by January 9, 2009, if the motion is filed on December 1, 2008. Any reply, if necessary, shall be

filed within two (2) weeks of the filing of the response or by January 23, 2009, if the response is filed on January 9, 2009.

No other filings in support of or in opposition to any dispositive motion shall be made except with the express permission of the Honorable Thomas A. Wiseman, Jr.

There shall be no stay of discovery during the pendency of the defendant's motion for summary judgment (Docket Entry No. 3) or before the October 31, 2008, deadline for completion of fact discovery or the November 1, 2008, deadline for the completion of expert discovery even if any additional dispositive motion is filed prior thereto.

In consultation with Judge Wiseman's office, a non-jury trial is scheduled to begin on **Tuesday, June 2, 2009, at 10:00 a.m.**, in Courtroom 783, U.S. Courthouse, 801 Broadway, Nashville, TN. The parties estimate that the trial will last no more than two (2) days.

A pretrial conference is also scheduled before Judge Wiseman on **Friday, May 22, 2009, at 10:00 a.m.**, in Chambers, 777 U.S. Courthouse.

The parties' obligations prior to the pretrial conference will be set forth by separately ordered order.

The Clerk is directed to forward the file in this case to Judge Wiseman for his consideration of the defendant's motion for summary judgment and accompanying filings (Docket Entry Nos. 5-8), and the plaintiff's response (Docket Entry Nos. 12-13, and 16-17).

No other filings in support of or in opposition to the defendant's pending motion for summary judgment shall be made except with Judge Wiseman's express permission.

It is so ORDERED.


JULIET GRIFFIN
United States Magistrate Judge